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Dated: July 11, 2006

Signature:

Germaine Sarda
(Germaine Sarda)

Docket No.: 564462001811
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay M. SHORT

Application No.: 10/034,985

Confirmation No.: 9024

Filed: December 21, 2001

Art Unit: 1652

For: RECOMBINANT BACTERIAL PHYTASES
AND USES THEREOF

Examiner: Delia M. Ramirez, Ph.D.

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RCE AMENDMENT AND RESPONSE

Dear Sir:

Responsive to the Final Office action mailed January 11, 2006 ("the OA"), Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. A response was initially due April 11, 2005. Applicants herein submit a petition for a three month extension of time to July 11, 2006, under 37 C.F.R. §1.136, with the appropriate fee under 37 C.F.R. §1.17. Accordingly, this response is timely filed.

Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. Reconsideration is respectfully requested.

This response is accompanied by a request for continued examination (RCE) under 37 C.F.R. §1.114. Thus, the finality of the outstanding final office action will be withdrawn and Applicants are entitled to have this first submission for this RCE entered and considered on the merits.

Amendment to the claims is reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 16 of this paper.

The following documents are enclosed herewith:

- Transmittal letter, postcard;
- Request for continued examination (RCE) under 37 C.F.R. §1.114;
- Petition for extension of time;
- Two alignments - one showing a nucleotide alignment and the other showing an amino acid alignment;
- Dr. Nelson Barton Rule 132 declaration, and C.V.
- Supplemental Information Disclosure Statement & PTO/SB08a/b
- 6 References